

**Town of Clarence
Planning and Zoning**

Memo

To: Town Board Members

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: August 6, 2015

Re: August 12, 2015 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the August 12, 2015 Town Board Agenda:

FORMAL AGENDA ITEMS:

1. ESSEX GREENS/WATERFORD PLANNED UNIT RESIDENTIAL DEVELOPMENT.

Location: North of Roll Road, West of Dana Marie Parkway

Description/History: Existing Planned Unit Residential Development containing the Commons, Estates, Greens, Landings and Campus. This particular proposal involves Waterford Greens and Waterford Landings.

Proposal: Applicant is requesting to construct 6 residential single family lots (6 units) in place of 5 duplex lots (10units). This proposal reduces the original approval of 10 units to 6 units.

Master Plan: Area identified in a Planned Unit Residential Development (PURD).

Reason for Town Board Action: The PURD Zoning is approved based upon a site plan. Any amendment to the overall site plan/PURD requires approval of the Town Board.

Issues: The Planning Board recommended to the Town Board an Amendment to the PURD zoning for the construction of 6 residential single family lots in place of the previously approved 5 duplex lots on their Planning Board Meeting of 7-15-15. This proposal is in conformance with the original Final Findings for the Overall Waterford PURD, therefore no action under the State Environmental Quality Act is required.

2. ANDY & RON GRIMM, 8196 COUNTY ROAD.

Location: North of County Road, East of Stahley Road.

Description/History: Existing 7.24 acres of vacant land, located in the Traditional Neighborhood District.

Proposal: Applicant is requesting to construct a 12-lot Open Space Design Development.

Master Plan: Area identified as a Traditional Neighborhood District.

Reason for Town Board Action: An Open Space Design Development Overlay requires Town Board Approval.

Issues: The Planning Board recommended to the Town Board a Negative Declaration under State Environmental Quality Review Act and an Open Space Design Development Overlay Approval for a 12-lot single family residential development at their Planning Board Meeting of 7-15-15. A Public Hearing will be required to consider an Open Space Design Development Overlay.

3. BLISS CONSTRUCTION/WATERFORD VILLAGE PLANNED UNIT RESIDENTIAL DEVELOPMENT (PURD)

Location: North of Roll Road, east of Corrine Lane.

Description/History: Previously approved site plan for Waterford Estates including 14 Estate Lots along Kilkenny Manor.

Proposal: Applicant is seeking Final Plat Approval and Road Dedication for Phase3 Part E of Waterford Estates. This will include road dedication of approximately 640 Linear Feet of Kilkenny Manor and 14 Estate Lots.

Master Plan: Area located within the Waterford Village Planned Unit Residential Development.

Reason for Town Board Action: A PURD is a site plan based approval and the Town Board has final approval authority for any amendments to the PURD.

Issues: The Town Engineer and Highway Superintendent have inspected and approved the construction.

WORK SESSION ITEMS:

1. JANICE CARSON, 10589 MAIN STREET.

Location: South side of Main Street, west of Ransom Road.

Description/History: Existing commercial structure located in the TND Zone and within the Clarence Hollow Overlay. Currently there is an office building in the front and a detail operation to the rear, operating under a TCP. In 2009, the Town Board took no action on a request for an automotive sales operation, requesting that the applicant clean up the property.

Proposal: Applicant is proposing to sell vehicles at this location.

Master Plan: Area located in the TND and within the Clarence Hollow Overlay.

Reason for Town Board Action: Per the Zoning Law the Town Board may consider automotive sales via a Temporary Conditional Permit.

Issues: The Town Board did not act on a similar request in 2009 and asked the applicant to clean up the property. The property has been improved since the 2009 request and the applicant is seeking consideration for an automotive sales operation. Details on display area and number of vehicles should be detailed.

2. ANNUAL EXCAVATION PERMITS

Per the Town of Clarence Excavation Law, the Town Board annually approves excavation permits. This year there are 4 requests, all of which were approved last year. Each applicant must submit their respective NYSDEC mining permits, bonds and corresponding fees before being placed on the formal Town Board agenda. Renewal requests are from:

1. Buffalo Crushed Stone
2. Emeritus Holdings
3. Lakeside Sod
4. Michael Development (formerly 10001 Grand Corporation)

3. DOMENIC PIESTRAK/SPAULDING GREEN OPEN SPACE DESIGN SUBDIVISION.

Location: East side of Goodrich north of Greiner Road

Description/History: The original Spaulding Green Open Space design Subdivision was approved in 2003 and included 380 sublots with the required 50% open space. The original 380 lot development was approved under an environmental impact statement as a supplement to the original Clarence Hollow Pollution Abatement Environmental Impact Statement which generally identified 500 units east of Goodrich Road and north of Greiner Road. There have been several amendments to the original concept plan and several land acquisitions by the owners to maintain the required 50%+ open space. Several proposed phases have been placed on hold as a part of previous amendments, adjusting for building type and utility extensions and always maintaining the originally approved 380 total lots. The applicant has acquired 50 additional sewer taps from a former partner in the Waterford Village PURD.

Proposal: The applicant is proposing to utilize the acquired 50 sewer taps to complete phases 7 and 9 from the original concept. The proposed Phases 7 and 9 include 45 estate lots. The submitted design maintains the required 50% open space.

Master Plan: Area identified in a Residential Single Family Zone and within Clarence Sewer District #4.

Reason for Town Board Action: Per the Zoning Law, the Town Board has ultimate authority to approve Open Space Design Subdivisions and any amendments thereto.

Issues: An environmental review will be required. Referral to the Planning Board would initiate a formal review of the application.

4. RUSSELL SALVATORE JR., 6449 TRANSIT ROAD.

Location: East side of Transit Road, north of Old Post Road.

Description/History: Existing residential structure located in the Major Arterial zone. A 2008 Master Plan 2015 amendment identified that the property should be identified in a Restricted Business Zone to guide future growth.

Proposal: Applicant is proposing to demolish the existing residential structure and construct a new mixed use building with approximately 6700 +/- square feet of commercial space and 8 residential multi-family apartments.

Master Plan: Area recommended for Restricted Business per the 2008 amendment.

Reason for Town Board Action: Per the Zoning Law the Town Board has final authority to amend the Zoning Map and to issue Special Exception Use Permits.

Issues: The Planning Board has forwarded a recommendation to amend the zoning to Restricted Business per the approved Master Plan 2015 amendment from 2008 and to issue a Special Exception Use Permit on the project as designed. A recommendation under SEQRA is also a part of the Planning Board action.